PTO/SB/17 (10-03)
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EE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1,990.00)

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	Complete it	Known
Application Number	09/912,494	RECEIVED
Filing Date	7/24/2001	
First Named Inventor	Wong, et al.	APR 0 1 2004
Examiner Name	Ware, D.	
Art Unit	1651	OFFICE OF PETITIONS
Attorney Docket No.	SP-1093.2	-

METHO	OD (OF PA	YMEN	NT (check all that apply)	FEE CALCULATION (continued)					
Check		Credit	card	Money Other None		DDITIO Entity		EES Entity		
X Deposi	sit Ac	count			Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
Denosit C	50-0	0421			1051	130	2051	65	Surcharge - late filing fee or oath	
I _ ' ' '	SO	LAE, LL	С		1052	50	2052	25	Surcharge – late provisional filing fee or cover sheet	
_				o: (check all that apply)	1053	130	1053	130	Non-English specification	
X Charge	e fee(s	s) indicate	d below	Credit any overpayments	1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
Charge	e any	additiona	l fee(s) c	or any underpayment of fee(s)	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	1
to the above-in				, except for the filing fee	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
to the above	CG III			LCULATION	1251	110	2251	55	Extension for reply within first month	
4 04010				ECOLATION	1252	420	2252	210	Extension for reply within second month	
1. BASIC	- 1				1252	950	2252	475	Extension for reply within third month	
Large Entit	e	Small I Fee	Fee	Fee Description Fee Paid	1254	1.480	2254	740	Extension for reply within fourth month	-
Code (\$)		Code	(\$)		1255	2.010	2255	1,005	Extension for reply within fifth month	
	70	2001	385	Utility filing fee	1401	330	2401	165	Notice of Appeal	330.00
	40	2002	170	Design filing fee	1402	330	2402	165	Filing a brief in support of an appeal	330.00
	30	2003	265 Plant filing fee		1403	290	2403	145	Request for oral hearing	
	70	2004	385	Reissue filing fee	1451	1.510	1451	1,510	Petition to institute a public use proceeding	\vdash
1005 10	60	2005	80	Provisional filing fee	1452	110	2452	55	Petition to revive – unavoidable	
SUBTOTAL (1) (\$)		1453	1,330	2453	665	Petition to revive – unintentional	1330.00			
2. EXTRA	A CI	LAIM F		FOR UTILITY AND REISSUE	1501	1,330	2501	665	Utility issue fee (or reissue)	
				Fee from ra Claims below Fee Paid	1502	480	2502	240	Design issue fee	
Total Claims	۰Г	-20	··-=	x = Test aid	1503	640	2503	320	Plant issue fee	
Independent		_	 ₌ ├	x =	1460	130	1460	130	Petitions to the Commissioner	
Claims Multiple Dep	∟ pend	ent	L		1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
Large Entit	ty	Small I	Entity		1806	180	1806	180	Submission of Information Disclosure Stmt	
Fee Fee Code (\$)		Fee Code	Fee (\$)	Fee Description	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1202	18	2202	9	Claims in excess of 20	1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1201	86	2201	43	Independent claims in excess of 3	1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1203 2	90	2203	145	Multiple dependent claim, if not paid	1801	770	2801	385	Request for Continued Examination (RCE)	
	86	2204	43	**Reissue independent claims over original patent	1802	900	1802	900	Request for expedited examination of a design application	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent						
		S	UBT	OTAL (2) (\$)	Other	fee (spe	cify)			
** or nur	mber	previous	lv paid.	if greater; For Reissues, see above	*Reduc	ed by Bas	sic Filina	Fee Paid	SUBTOTAL (3) (\$ 1.990	1 00)

SUBMITTED BY		Complete (ii	Complete (if applicable)		
Name (Print/Type)	RICHARDB. TAYLOR	Registration No. (Attorney/Agent)	37248	Telephone	314-982-3004
Signature	/ Mand Boy			. Date	3/26/04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Attorney's Docket No. SP-1093.2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APR 0 1 2004

OFFICE OF PETITIONS

In re application of

Wong et al.

Serial No.

09/912,494

Filed

7/24/01

Examiner

Ware, D.

Art Unit

1651

For

Ultrapure Protein Material

Oluapure Protein Material

Commissioner for Patents Alexandria, VA 22313-1450

EXPRESS MAIL CERTIFICATE

"Express Mail" Label Number: EV 042962455 US

Date of Deposit:

March 24, 2004

I hereby certify that the attached: Transmittal Form, Transmittal of Appeal Brief, Petition for Revival of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b), Fee Transmittal and Applicants' Brief on Appeal is/are being deposited with the United States Postal Service as "Express Mail" in an envelope addressed to:

USPTO Mail Stop Appeal Brief Patents Commissioner For Patents P. O. Box 1450 Alexandria, VA 22313-1450

Dated: 3/2/01

Clonga Halles Tonya Walker MAR 2 6 2004

RECEIVED

APR 0 1 2004

OFFICE OF PETITIONS

Practitioner's Docket No.

SP 1093.2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re-application of: Wong, et al

Application No.:

09/912,494

Group No.:

Filed: For:

7/24/01

Examiner: Ware, D.

Ultrapure Protein Material

Mail Stop Appeal Briefs &ndash: Patents **Commissioner for Patents** P.O. Box 1450 Alexandria, VA 22313-1450

TRANSMITTAL OF APPEAL BRIEF (PATENT APPLICATION—37 C.F.R. § 1.192)

NOTE: The phrase "the date on which" an "appeal was taken" in 35 U.S.C. 154(b)(1)(A)(ii) (which provides an adjustment of patent term if there is a delay on the part of the Office to respond within 4 months after an "appeal was taken") means the date on which an appeal brief under § 1.192 (and not a notice of appeal) was filed. Compliance with § 1.192 requires that: 1. the appeal brief fee (§ 1.17(c)) be paid (§ 1.192(a)); and 2.the appeal brief complies with § 1.192(c)(1) through (c)(9). See Notice of September 18, 2000, 65 Fed. Reg. 56366, 56385-56387 (Comment 38).

1. Transmitted herewith, in triplicate, is the APPEAL BRIEF in this application, with respect to the Notice of Appeal filed on _

"Appellant must, within two months from the date of the notice of appeal under § 1.191 or within the time allowed for reply to the action from which the appeal was taken, if such time is later, file a brief in triplicate. . . " 37 C.F.R. § 1.192(a) (emphasis added).

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory; Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

deposited with the United States Postal	Service in an envelope addressed to Commissioner for Patents, P.O.
Box 1450, Alexandria, VA 22313-1450	to the second of

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10 1

with sufficient postage as first class mail.

as "Express Mail Post Office to Addressee" Mailing Label No. EV 042962455 US

TRANSMISSION

U	facsimile	transmitted	to	the	Patent	and	Trademark	Office,	(703))
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Date: 3/26/04

Tonya Walker

(type or print name of person certifying)

^{*} Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mall Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

2. STATI	US OF APPLICANT			
This ap	plication is on behalf of			
. 💥	other than a small enti	ty.	•	:
	a small entity.			
	A statement:	•		
	☐ is attached.			
•	was already filed.			•
3. FEE F	OR FILING APPEAL BR	IEF		
Pursuar	nt to 37 C.F.R. § 1.17(c)	, the fee for filing the	Appeal Brief is:	
	small entity		\$165.00	
· X1X)	other than a small enti	ty	\$330.00	
			222	
		Appeal Brief fee	due \$,
4. EXTE	NSION OF TERM			*
ti ii c c s s s	or C.F.R. § 1.704(b) "an ap or conclude processing or exam nexcess of three months that an objection, argument, or other re- or action was mailed or given to shall be reduced by the number after the date of mailing or tra- rejection, objection, argument, construction, objection, argument, constructed statutory period, in three-month period set forth in	ination of an application for to e taken to reply to any notice of equest, measuring such thre the applicant, in which case the of days, if any, beginning on insmission of the Office com or other request and ending of for reply that is set in the Office	the cumulative total of any perior action by the Office making and e-month period from the date be period of adjustment set forth the day after the date that is the munication notifying the applion the date that the reply was filed.	iods of time ny rejection, the notice th in § 1.703 tree months icant of the The period,
	The time periods set forth in 3 applications. 37 C.F.R. § 1.191			
	As the two-month period set i maximum period specified in 3 up to seven months. 62 Fed. I	5 U.S.C. § 133, the period f	or filing an appeal brief may b	e extended
The pr § 1.136	oceedings herein are fo	or a patent application	and the provisions of	37 C.F.R.
	(comp	olete (a) or (b), as appli	cable)	
(a) 🗆			inder 37 C.F.R. § 1.136 umber of months check	
		Fee for other than	Fee for	
	months)	small entity	small entity	
	one month	\$ 110.00 \$ 420.00	\$ 55.00 \$ 640.00	
	two months three months	\$ 420.00 \$ 950.00	\$ 210.00 \$ 475.00	
	four months	\$ 1,480.00	\$ 740.00	
	five months	\$ 2,010.00	\$ 1,005.00	
	·	Fee:	S	
	:			
		(Transm	ittal of Appeal Brief [9-6.1]—	page 2 of 4)

(Rel.96-11/03 Pub.605)	FORM 9	

If an additional extension of time is required, please consider this a petition therefor.
(check and complete the next item, if applicable)
An extension for months has already been secured, and the fee paid therefor of \$ is deducted from the total fee due for the total months of extension now requested.
Extension fee due with this request \$
or
(b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
5. TOTAL FEE DUE
The total fee due is:
Appeal brief fee \$ 330.00
Extension fee (if any) \$
TOTAL FEE DUE \$ 330.00
6. FEE PAYMENT
☐ Attached is a ☐ check ☐ money order in the amount of \$
Authorization is hereby made to charge the amount of \$ 330.00 to Deposit Account No. $50-0421$
☐ to Credit card as shown on the attached credit card information authorization form PTO-2038.
WARNING: Credit card information should not be included on this form as it may become public.
Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.
A duplicate of this paper is attached.
7. FEE DEFICIENCY
NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to change the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.
If any additional extension and/or fee is required,
AND/OR
If any additional fee for claims is required, charge: Deposit Account No. 50-0421
☐ Credit card as shown on the attached credit card information authorization form PTO-2038.
WARNING: Credit card information should not be included on this form as it may become public.

Date: March 26, 2004

Reg. No.: 37,248

Customer No.:

SIGNATURE OF PRACTITIONER
RICHARD B. TAYLOR

(type or print name of practitioner)

PO BOX 88940

P.O. Address

ST LOUIS MO 63188

(Transmittal of Appeal Brief [9-6.1]-page 4 of 4)